

City Council
Atlanta, Georgia

06-O-2304

A SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

Z-06-117
Date Filed: 10-10-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **959 Constitution Road, S.E.** be changed from the R4 (Single-family Residential) District to the MR-3 (Multifamily Residential) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 6 of the 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffix "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

CONSTITUTION PARCEL LEGAL

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 6 of the 14th District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point found at the intersection of the southerly right-of-way line of Constitution Road (50' R/W) and the easterly right-of-way line of Forrest Park Road (40' R/W), said point being the POINT OF BEGINNING; thence continuing along said right-of-way line of Constitution Road the following courses and distances: South 00 degrees 07 minutes 58 seconds East a distance of 405.28 feet to a point; thence turning South 88 degrees 11 minutes 16 seconds East a distance of 370.63 feet to a point; thence turning South 03 degrees 04 minutes 08 seconds East a distance of 133.67 feet to a point; thence South 84 degrees 48 minutes 51 seconds East a distance of 457.10 feet to a point; thence turning North 01 degrees 30 minutes 32 seconds West a distance of 486.37 feet to a point along said Right of Way of Constitution Road, thence turning along a curve South 85 degrees 29 minutes 49 seconds East (Arc length of 220.36 feet) a chord distance of 220.03 feet to a point; thence North 80 degrees 00 minutes 38 seconds West a distance of 97.06 feet to a point; thence North 80 degrees 14 minutes 28 seconds West a distance of 191.87 feet to a point; thence North 81 degrees 21 minutes 11 seconds West a distance of 123.86 feet to a point; thence North 83 degrees 28 minutes 37 seconds West a distance of 94.50 feet; thence North 84 degrees 26 minutes 38 seconds West a distance of 99.18 feet and the TRUE POINT OF BEGINNING.

Said tract containing 8.56 acres.

2-06-117

City Council
Atlanta, Georgia

AN ORDINANCE
BY: ZONING COMMITTEE

Z-06-117
Date Filed: 10-10-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **959 Constitution Road, S.E.** be changed from the R4 (Single-family Residential) District to the RG-3 (Residential General-Sector 3) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 6 of the 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

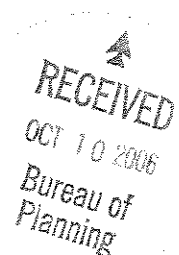
CONSTITUTION PARCEL LEGAL 2

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 6 of the 14th District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, commence at a point found at the intersection of the southerly right-of-way line of Constitution Road (50' R/W) and the easterly right-of-way line of Forrest Park Road (40' R/W), thence continuing along said right-of-way line of Constitution Road the following courses and distances: South 79 degrees 07 minutes 09 seconds East a distance of 243.00 feet to a point; thence 15.43 feet along an arc of a curve to the right, said curve having a radius of 300.00 feet and a chord bearing and distance of South 77 degrees 32 minutes 56 seconds East 15.43 feet to a point; thence South 76 degrees 04 minutes 32 seconds East a distance of 124.06 feet to a point and the TRUE POINT OF BEGINNING, from the TRUE POINT OF BEGINNING as thus established; thence continuing along said right-of-way line South 76 degrees 04 minutes 35 seconds East a distance of 147.85 feet to a point; thence South 75 degrees 49 minutes 13 seconds East a distance of 20.17 feet to a point; thence South 76 degrees 07 minutes 02 seconds East a distance of 44.50 feet to a point; thence South 75 degrees 00 minutes 44 seconds East a distance of 98.83 feet to a point; thence 62.88 feet along an arc of a curve to the left, said curve having a radius of 313.00 feet and a chord bearing and distance of South 80 degrees 49 minutes 27 seconds East 62.78 feet to a point; thence South 86 degrees 34 minutes 47 seconds East a distance of 89.70 feet to a point; thence leaving said right-of-way line South 05 degrees 00 minutes 46 seconds West a distance of 483.16 feet to a point; thence North 78 degrees 23 minutes 41 seconds West a distance of 251.28 feet to a point; thence North 85 degrees 47 minutes 56 seconds West a distance of 204.94 feet to a point; thence North 04 degrees 53 minutes 34 seconds East a distance of 130.00 feet to a point; thence North 04 degrees 17 minutes 35 seconds East a distance of 379.41 feet to a point and the TRUE POINT OF BEGINNING.

Said tract containing 5.00 acres.

Z-06-117



RCS# 684
11/06/06
2:31 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-2302,2303,2304,2305,2306,2307,2308
2309,2310,2311,2312,2313,2314
REFER ZRB/ZON.

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 3

Y Smith	Y Archibong	Y Moore	Y Mitchell
B Hall	B Fauver	B Martin	Y Norwood
Y Young	Y Shook	Y Maddox	NV Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE